

FILED  
U.S. DISTRICT COURT  
AUGUSTA DIV.

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
DUBLIN DIVISION

24 APR 10 PM 2:05

UNITED STATES OF AMERICA

\*

v.

\*

CR 322-013-13

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ERIKA LASHANDRIA TOBRIDGE

\*

CLERK DP  
SO. DIST. OF GA.

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O R D E R  
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Defendant Tobridge has filed a motion for modification of sentence based upon Amendment 821 to the United States Sentencing Guidelines. A federal court may modify a sentence if the defendant's sentencing range has been subsequently lowered by the Sentencing Commission, after consideration of the factors set forth in 18 U.S.C. § 3553(a). 18 U.S.C. § 3582(c) (2).

Amendment 821 (Part A) provides a retroactive adjustment for certain offenders whose criminal history was impacted by "status points" under U.S.S.G. § 4A1.1. Defendant did not receive any status points. Amendment 821 (Part B) provides a retroactive decrease in offense level for certain "zero point" offenders. Defendant was not a zero point offender; rather she had one criminal history point.

Because Amendment 821 has no effect on Defendant's guideline range, her total offense level remains 21 and her criminal history category remains I. Her guideline range thus remains 37 to 46

months. For this reason, Defendant's motion to reduce her sentence based upon Amendment 821 (doc. no. 349) is DENIED.

ORDER ENTERED at Augusta, Georgia this 10<sup>th</sup> day of April, 2024.

  
UNITED STATES DISTRICT JUDGE